

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ALAN DEATLEY,

Plaintiff,

V.

DALE R. MARTIN,

Defendant.

Case No. C08-0849RSL

ORDER DENYING MOTION TO COMPEL

This matter comes before the Court on a motion to compel compliance with a third-party subpoena issued in a case pending in another district. The third party apparently resides in this district.

The motion was filed improperly. This Court lacks jurisdiction to enforce the subpoena, which was issued by the United States District Court for the Eastern District of Washington. In addition, attorneys for the moving party acknowledge that they filed the motion prematurely and without attaching necessary documents. They state that they planned to obtain those documents, amend the motion, and then note it. There is no procedure in this district for filing an incomplete motion as a placeholder. Filing the

1 motion under these circumstances violated the Court's Local Rules¹ and has wasted this
2 Court's and the opposing party's time. Defendant has not requested sanctions, and the
3 Court declines to impose sanctions at this time. However, it may do so if Mr. DeAtley
4 refiles the motion.

5 Accordingly, the motion to compel (Dkt. #1) is DENIED. Because the Court has
6 denied the only relief requested in this action, the Clerk of the Court is directed to close
7 this case.

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9 DATED this 3rd day of June, 2008.

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Robert S. Lasnik
11 Robert S. Lasnik
12 United States District Judge

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25 ¹ The motion also fails to comply with the Local Rules regarding formatting.